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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,392	07/30/2003	Prasanna Amitabh	CHA920030017US1	9419
23550 7590 02/11/2009 HOFFMAN WARNICK LLC 75 STATE STREET 14TH FLOOR ALBANY, NY 12207			EXAMINER ROBINSON BOYCE, AKIBA K	
			ART UNIT 3628	PAPER NUMBER
			NOTIFICATION DATE 02/11/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOCommunications@hoffmanwarnick.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/630,392	<b>Applicant(s)</b> AMITABH ET AL.	
	<b>Examiner</b> AKIBA K. ROBINSON BOYCE	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. Due to communications filed 11/13/08, the following is a final office action. Claims 1, 10 and 18 are amended. Claims 1-26 are pending in this application and have been examined on the merits. Due to the amendment filed 11/13/08, the previous rejection has been withdrawn, and the following rejection reflects claims as amended. Claims 1-26 are rejected as follows.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breslin et al (US 2004/0098285 A1), and further in view of Jaskolski et al (US 2003/0055684 A1).

As per Claim 1, Breslin et al discloses a customer relationship management (CRM) system that is accessible via a network, ([0009], core repository that manages, monitors and measures all data privacy assessments across an institution, [0030], using a distributed client/server architecture , w/[0031], client is a web-based browser application), comprising:

- a user interface that provides distributed access for support providers to case information within the CRM system, the user interface that provides access to a customer case management page for viewing all cases opened for a given customer and a case summary page for viewing details of individual cases stored within the CRM system, ([0013], user interface that allows upper management to review risk exposure and compliance status, and [0077]), shows a user interface screen for providing the user with access to the collection, library, of data privacy materials that has been collected by the enterprise);

- a case management system for managing customer cases, wherein the case management system includes a system for assigning cases to different tiers within a support provider hierarchy; ([0015], access levels for review of risk exposure and compliance) and

-a compliance tracking system that retrieves previously loaded customer compliance data from a database, ([0055], shows database can be consulted when system determines the compliance of the application with the laws and regulations of the jurisdictions in which the application operates);

wherein the compliance data consists of information related to whether a customer has met certain required pre-set goals set by the CRM system, compares the compliance data for each customer with predetermined levels to determine customer compliance and provides a compliance indicator on the customer case management page, ([0012], shows compliance with applicable state and Federal laws is assessed and once risk is acknowledged, a plan for reducing the risk or bringing the groups procedures into compliance can be formulated, and progress towards compliance can be tracked, and [0069], compliance indicator is displayed, in this case comparing is obvious since compliance with applicable state and Federal laws requires some type of comparison between current applications and the state and Federal laws).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to compare compliance data for each customer with predetermined levels with the motivation of determining current compliance data.

Breslin et al fails to disclose allowing the customer to access case information, and , wherein the customers and the support providers are separate and distinct institutions, however does disclose that an application could have contact with both customer and employee data in [0047].

However, Jaskolski et al discloses A participant in the system may be the patient himself, or skilled and unskilled staff as shown in [0039]. It therefore would be obvious to combine the teachings of Breslin et al and Jaskolski et al to disclose allowing the customer to access case information, and , wherein the customers and the support providers are separate and distinct institutions.

It would have been obvious to one of ordinary skill in the art at the time of the application to disclose allowing the customer to access case information, and , wherein the customers and the support providers are separate and distinct institutions with the motivation of showing that two individual parties are able to access case information.

As per Claim 2, Breslin et al further discloses the CRM system of claim 1, wherein the case management system further includes a notification system for automatically generating emails when a new case is opened, ([0040], email notifying the person of the assignment and the responsibilities associated therewith)

As per Claim 3, Breslin et al further discloses the CRM system of claim 1, wherein the case management system further includes a system that allows support providers to check-in/check-out cases, ([0040], when assignment is made, input screen shows date on which the assignment was accepted and updates the applicable database to record the assignment, [0045], shows alternate assignments, which makes checking out cases obvious since when re-assigning to an alternate application, the case must be checked out for the first application).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to check-out cases with the motivation of ending processing of a first case.

As per Claim 4, Breslin et al further discloses the CRM system of claim 1, wherein the case management system further includes a set of business rules that determines what level of case information is to be made available to customers and support providers. ([0014], higher level managers have broader access than lower level managers, which is based on seniority)

As per Claim 5, Breslin et al further discloses the CRM system of claim 1, wherein the case management system further includes a set of business rules that determines how cases are to be assigned and escalated among the different tiers of support providers. ([0014], cases are assigned based on seniority)

As per Claim 6, Breslin et al further discloses the CRM system of claim 1, wherein the compliance tracking system includes a set of business rules that determines a compliance risk level for each customer. ([0014], ability to access risk assessment data)

As per claims 7-8, 12, 17 and 24-25, Breslin et al discloses mostly all of the limitations including wherein the portal page provides access to a customer case management page for viewing all cases opened for a given customer and a case summary page for viewing details of individual cases as shown in [0004], where a summary or compiled data is shown.

Breslin et al also discloses wherein the compliance risk level is selected from the group consisting of: in compliance, in danger of becoming out of compliance, and out of compliance in [0012], where compliance is shown with applicable state and Federal laws is assessed and once risk is acknowledged, a plan for reducing the risk or bringing the groups procedures into compliance can be formulated, and progress towards compliance can be tracked.

Breslin et al also discloses and also wherein the compliance indicator comprises a traffic light indicator having a green, yellow, and red light as shown in [0073], where green, amber and red are shown as compliance indicators. In this case, amber represents yellow.

As per Claim 9, Breslin et al further discloses the CRM system of claim 6, wherein the compliance tracking system includes a system for creating a new customer case when a predetermined compliance risk level occurs (abstract, lines 18-24, If a risk exists, a plan for reducing the risk or bringing the application into compliance can be formulated, and progress towards compliance can be tracked, w/[0010], shows a six-step system to bring status into compliance, which includes employing automated questionnaires, which is a step involved in processing of assessment for each application, which therefore suggests that the process is done for *new* applications since as shown in [0033], the person is just assigned to a particular application for the purpose of review/assessment).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a new customer case when a predetermined compliance



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risk level occurs with the motivation of creating a new case that can be re-assessed for compliance.

As per Claim 10, Breslin et al further discloses a method for providing customer relationship management (CRM) via a computer network, comprising:

- providing a network node that allows distributed access, ([0009], core repository that manages, monitors and measures all data privacy assessments across an institution, [0030], using a distributed client/server architecture , w/[0031], client is a web-based browser application);

- opening a new case within the CRM system when a customer issue occurs;

(abstract, lines 18-24, If a risk exists, a plan for reducing the risk or bringing the application into compliance can be formulated, and progress towards compliance can be tracked, w/[0010], shows a six-step system to bring status into compliance, which includes employing automated questionnaires, which is a step involved in processing of assessment for each application, which therefore suggests that the process is done for *new* applications since as shown in [0033], the person is just assigned to a particular application for the purpose of review/assessment).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a new customer case when a predetermined compliance risk level occurs with the motivation of creating a new case that can be re-assessed for compliance.

- adding the new case to a customer case management page; ([0054], add button adds jurisdictions that are applicable to the application under review)

- displaying a compliance indicator when the customer case management page is viewed; ([0069], compliance indicator is displayed);

wherein the compliance indicator is based on information related to whether a customer has met certain required pre-set goals set by the CRM system, ([0012], shows compliance with applicable state and Federal laws is assessed and once risk is acknowledged, a plan for reducing the risk or bringing the groups procedures into compliance can be formulated, and progress towards compliance can be tracked);

- assigning the new case to a first tier support provider; ([0033], lines 1-8, assignment to the manager in charge of the application, as this is the person in the organization with the most intimate knowledge about the current state of the operation of the application at any given time)

The following is suggested by Breslin et al since access levels are assigned based on seniority or management status as shown in [0015], and higher management is shown to have more knowledge as shown in [0033]:

-determining if the first tier support provider can handle the new case; and  
-escalating the new case to a second tier support provider if the first tier support provider cannot handle the case.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to determine if the first tier support provider can handle the new case, and escalate the new case to a second tier support provider if the first tier support provider cannot handle the case with the motivation of providing a case for assessment to someone with more knowledge.

Breslin et al fails to disclose for access for both customers and support providers to a CRM System, wherein the customers and the support providers are separate and

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distinct institutions, however does disclose that an application could have contact with both customer and employee data in [0047].

However, Jaskolski et al discloses A participant in the system may be the patient himself, or skilled and unskilled staff as shown in [0039]. It therefore would be obvious to combine the teachings of Breslin et al and Jaskolski et al to disclose allowing the customer to access case information, and , wherein the customers and the support providers are separate and distinct institutions.

It would have been obvious to one of ordinary skill in the art at the time of the application to disclose allowing the customer to access case information, and , wherein the customers and the support providers are separate and distinct institutions with the motivation of showing that two individual parties are able to access case information.

As per Claim 11, Breslin et al further discloses the method of claim 10, wherein the network node comprises a web portal. ([0035], application portal)

As per Claim 13, Breslin et al further discloses the method of claim 10, comprising the further step of generating email notifications according to a set of business rules, ([0040], email notifying the person of the assignment and the responsibilities associated therewith)

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As per Claim 14, Breslin et al discloses having an assigned support provider check out the case from the CRM system. ([0043], outside support providers).

As per Claim 15, Breslin et al discloses, wherein the step of opening a new case is performed by the customer at the network node, ([0009], core repository that manages, monitors and measures all data privacy assessments across an institution, [0030], using a distributed client/server architecture , w/[0031], client is a web-based browser application);

As per Claim 16, Breslin et al further discloses, wherein the step of opening a new case is initiated automatically when the customer is out of compliance. ([0046], assessment is accomplished automatically).

As per Claim 18, Breslin et al further discloses a program product stored on a recordable medium that provides a customer relationship management (CRM) tool via the web, comprising:

- a portal page for providing distributed access on the web, ([0035], application portal)
- a customer management module for managing customer cases and for assigning cases to different tiers within a support provider hierarchy, ([0033], lines 1-8, assignment to the manager in charge of the application, as this is the person in the organization with the most intimate knowledge about the current state of the operation

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of the application at any given time and ([0015], access levels for review of risk exposure and compliance) and

-a customer compliance module retrieves previously loaded customer compliance data from a database, ([0055], shows database can be consulted when system determines the compliance of the application with the laws and regulations of the jurisdictions in which the application operates);

wherein the compliance data consists of information related to whether a customer has met certain required pre-set goals set by the CRM system, compares the compliance data for each customer with predetermined levels to track customer compliance and displays a compliance indicator on customer case management page, ([0012], shows compliance with applicable state and Federal laws is assessed and once risk is acknowledged, a plan for reducing the risk or bringing the groups procedures into compliance can be formulated, and progress towards compliance can be tracked, and [0069], compliance indicator is displayed, in this case comparing is obvious since compliance with applicable state and Federal laws requires some type of comparison between current applications and the state and Federal laws).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to compare compliance data for each customer with predetermined levels with the motivation of determining current compliance data.

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Breslin et al fails to disclose access for customers and support providers to case information within the CRM tool, wherein the customers and the support providers are separate and distinct institutions however does disclose that an application could have contact with both customer and employee data in [0047].

However, Jaskolski et al discloses a participant in the system may be the patient himself, or skilled and unskilled staff as shown in [0039]. It therefore would be obvious to combine the teachings of Breslin et al and Jaskolski et al to disclose access for customers and support providers to case information within the CRM tool, wherein the customers and the support providers are separate and distinct institutions.

It would have been obvious to one of ordinary skill in the art at the time of the application to disclose access for customers and support providers to case information within the CRM tool, wherein the customers and the support providers are separate and distinct institutions with the motivation of showing that two individual parties are able to access case information.

As per Claim 19, Breslin et al further discloses the program product of claim 18, wherein the case management module further includes a notification system for automatically generating emails when a new case is opened, ([0040], email notifying the person of the assignment and the responsibilities associated therewith)

As per Claim 20, Breslin et al further discloses the program product of claim 18, wherein the case management module further includes a system that allows support

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providers to check-in/check-out cases, ([0040], when assignment is made, input screen shows date on which the assignment was accepted and updates the applicable database to record the assignment, [0045], shows alternate assignments, which makes checking out cases obvious since when re-assigning to an alternate application, the case must be checked out for the first application).

As per Claim 21, Breslin et al further discloses the program product of claim 18, wherein the case management module further includes a set of business rules that determines what level of case information is to be made available to customers and support providers. ([0014], higher level managers have broader access than lower level managers, which is based on seniority)

As per Claim 22, Breslin et al further discloses the program product of claim 18, wherein the case management module further includes a set of business rules that determines how cases are to be assigned and escalated among the different tiers of support providers. ([0014], cases are assigned based on seniority)

As per Claim 23, Breslin et al further discloses the program product of claim 18, wherein the compliance tracking module includes a set of business rules that determines a compliance risk level for each customer. ([0014], ability to access risk assessment data)

As per Claim 26, The program product of claim 23, wherein the compliance tracking

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module includes a system for creating a new customer case when a predetermined compliance risk level occurs. (abstract, lines 18-24, If a risk exists, a plan for reducing the risk or bringing the application into compliance can be formulated, and progress towards compliance can be tracked, w/[0010], shows a six-step system to bring status into compliance, which includes employing automated questionnaires, which is a step involved in processing of assessment for each application, which therefore suggests that the process is done for *new* applications since as shown in [0033], the person is just assigned to a particular application for the purpose of review/assessment).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to create a new customer case when a predetermined compliance risk level occurs with the motivation of creating a new case that can be re-assessed for compliance.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business

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Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.  
February 10, 2009

/Akiba K Robinson-Boyce/  
Primary Examiner, Art Unit 3628